

Maryland


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1861

House of Delegates

EXTRA SESSION



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BY THE SENATE,

JUNE 22, 1861.

Read, and 1,000 copies ordered to be printed.

By order, WILLIAM KILGOUR, *Secretary*.

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# PROTEST

OF THE

## GENERAL ASSEMBLY

AGAINST THE

## ILLEGAL ARREST AND IMPRISONMENT

BY THE

## FEDERAL GOVERNMENT

OF

CITIZENS OF MARYLAND.

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FREDERICK:

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## RESOLUTIONS

### IN REGARD TO THE ILLEGAL ARREST AND IMPRISON- MENT OF CITIZENS OF MARYLAND.

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WHEREAS, Ross Winans, a member of the House of Delegates of Maryland, from the city of Baltimore, on his way to his home from the discharge of his official duties, on the 14th of May last, was arbitrarily and illegally arrested, on a public highway, in the presence of the Governor of this State, by an armed force under the orders of the Federal Government, and was forcibly imprisoned and held in custody, thereafter, at Annapolis and Fort McHenry, without color of lawful process or right, by the command and at the arbitrary will and pleasure of the President of the United States; and

WHEREAS, Sundry other citizens of Maryland have been unlawfully dealt with, in the same despotic and oppressive manner, by the same usurped authority, and some of them have in fact been removed by force beyond the limits of the State of Maryland and the jurisdiction of her tribunals, in utter violation of their rights as citizens, and of the rights of the State, as a member of the Federal Union; and

WHEREAS, The unconstitutional and arbitrary proceedings of the Federal Executive, have not been confined to the violation of the personal rights and liberties of the citizens of Maryland, but have been extended into every department of oppressive illegality, so that the property of no man is safe, the sanctity of no dwelling is respected, and the sacredness of private correspondence no longer exists; and

WHEREAS, The Senate and House of Delegates of Maryland, recognizing the obligation of the State, as far as in her lies, to protect and defend her people against usurped and arbitrary power—however difficult the fulfillment of that high obligation may be rendered by disastrous circumstances—feel it due to her dignity and independence, that history should not record the

overthrow of public freedom, for an instant, within her borders, without recording, likewise, the indignant expression of her resentment and remonstrance: now, therefore, be it

*Resolved*, That the Senate and House of Delegates of Maryland, in the name and on behalf of the good people of the State, do accordingly register this, their earnest and unqualified protest against the oppressive and tyrannical assertion and exercise of military jurisdiction, within the limits of Maryland, over the persons and property of her citizens, by the Government of the United States, and do solemnly declare the same to be subversive of the most sacred guarantees of the Constitution, and in flagrant violation of the fundamental and most cherished principles of American free government.

*Resolved, further*, That the resolutions be communicated by the President of the Senate and the Speaker of the House, to the Hon. James Alfred Pearce and the Hon. Anthony Kennedy, Senators of Maryland in the Senate of the United States, with the request that they present the same to the Senate, to be recorded among its proceedings, in vindication of the right and in perpetual memory of the solemn remonstrance of this State against the manifold usurpations and oppressions of the Federal Government.



